

LAW OFFICE OF GREGORY JAVARDIAN, LLC  
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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	Chapter 13 Proceeding
Vaneese Marie Walker	
Debtor(s)	22-13128 AMC

**CERTIFICATION OF DEFAULT**

AND NOW, comes secured Creditor, Citizens Bank, N.A. f/k/a RBS Citizens, N.A. (Movant) by and through its counsel, Mary F. Kennedy, and files this Certification of Default to obtain an order for Relief from the Automatic Stay due to Debtor's failure to comply with the terms of the Stipulation resolving a Motion for Relief from Stay and avers the following:

1. On April 11, 2024 the attached Stipulation was approved by the Court. See Exhibit "A" attached hereto and made a part hereof.
2. Paragraph 2 (c) of the Stipulation provides that "Commencing with the April 1, 2024 payment Debtor(s) shall resume and shall continue to make all regular monthly post-petition mortgage payments when they are due in accordance with the Note and Mortgage."
3. Paragraph 2 (h) of the Stipulation requires the Debtors to comply with all conditions of the Stipulation and "if such payments or conditions are not timely made, Movant may provide the Debtor(s) and their counsel with fifteen (15) days written notice if default." If the default is not cured within fifteen (15) days, the Stipulation provides that Movant may certify default to the Court and request the entry of an order granting Movant relief from the stay.
4. Debtor did not make the regular post-petition payments as required by the Stipulation and on November 14, 2024, Movant sent a Notice of Default to the Debtor and Debtor's Counsel Michael A. Cibik, Esquire. See Exhibit "B" attached hereto and made a part hereof.

5. As of the date of the filing of this Certification of Default Movant has not received the following payments that were due pursuant to the Stipulation attached as Exhibit "A.":

10/1/2024 payment	\$1,277.88
11/1/2024 payment	\$1,277.88
12/1/2024 payment (This was not in the Notice of Default but is now due)	\$1,277.88
Funds received 11/22/2024	-\$800.00
Funds in suspense	-\$877.88
Attorney fees for Notice of Default & Certification of Default	\$200.00
TOTAL	\$2,355.76

WHEREFORE, Movant respectfully requests this Honorable Court ORDER:

That Relief from the Automatic Stay be granted to Citizens Bank, N.A. f/k/a RBS Citizens, N.A. to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy Law. That the relief granted by the Court will survive the conversion of this bankruptcy case to a case under any other Chapter of the Bankruptcy Code. And that bankruptcy Rule 4001(a)(3) is not applicable, and Movant is allowed to immediately proceed with foreclosure and all other relief available under the non-bankruptcy law. That Federal Rule of Bankruptcy Procedure 3002.1 is no longer applicable. Furthermore, Movant respectfully requests that reasonable attorney fees and costs associated with this Motion be awarded to Movant.

Respectfully Submitted:

/s/ Mary F. Kennedy  
Attorney for: Citizens Bank, N.A.  
f/k/a RBS Citizens, N.A.  
Attorney ID: 77149

Date: December 5, 2024